

**TOWN OF BUCKEYE  
REGULAR COUNCIL MEETING  
OCTOBER 18, 2005  
MINUTES**

**Town Council Chambers  
100 N. Apache Road  
Buckeye, AZ 85326  
7:00 p.m.**

**1. Call to Order/Pledge of Allegiance/Roll Call.**

Mayor Hull called the meeting to order at 7:01 p.m.

Members Present: Councilman Beard, Vice Mayor Urwiller, Mayor Hull, Councilwoman May, and Councilman Garza.

Members Absent: Councilman Meck and Councilman Doster

Departments Present: Town Manager Carroll Reynolds, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Fire Chief Scott Rounds, Town Engineer Woody Scoutten, Community Development Director Bob Bushfield, Public Works Director Joe Guidice, Airport Director Jason Hardison, Economic Development Director Richard Chapman, and Information Technology Director Dee Hathaway.

**2. Comments from the Public – Members of the audience may comment on any item of interest.**

Richard Adams-spoke to Council about the Town's future.

**CONSENT AGENDA**

Approval of items on the Consent Agenda –There will be no separate discussion of these items unless a Councilmember requests. Councilman Beard declared a conflict of interest on Item \*3. Councilwoman May requested Item \*5C be pulled for discussion. Motion made by Vice Mayor Urwiller and seconded by Councilman Beard to approve Items \*3, \*4, \*5A, and \*5B on the Consent Agenda. Councilwoman May voted nay on Item \*5B. Councilman Beard, Vice Mayor Urwiller, Mayor Hull, and Councilman Garza voted aye Motion Carried. Items \*3, \*4, and \*5A passed unanimously.

\*3. Council approved minutes of the September 20, 2005 Regular Council meeting.

\*4. Council approved invoices due by the Town for payment. Copies of invoices are available at Town Hall.

**5. New Business**

\*5A. Council adopted Resolution 64-05 supporting Arizona Cities and Towns Week 2005.

\*5B. Council approved the request by Verrado Assembly/Raven Foundation for a Special Events Liquor License in connection with Verrado's Founders Day Concert on Main Street to be held Saturday, November 5, from 2:00 p.m. to 1:00 a.m.

5C. Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to table the request from the Police Department to approve the conversion of two sworn positions to three non-sworn public safety dispatchers. Motion passed unanimously.

**6. NON CONSENT AGENDA**

**6A. Free Spay/Neuter Day sponsored by Altered Tails**

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to approve the request by Cathy Rinaldi, Board Member of Altered Tails, for a Free Spay/Neuter Day sponsored by Altered Tails.

**6B. Public Hearing-Annexation of 29 Acres-JACKRABBIT CORNER PARTNERSHIP A05-09 KaCourt**

Mayor Hull opened a Public Hearing at 7:08 p.m. to hear citizen input on the proposed annexation request by Joe Burke of Kimley-Horn on behalf of Jackrabbit Corner Partnership, LLP for the annexation request of 29 acres located at the northwest corner of Jackrabbit and Indian School Roads. Local residents Kristine Netters and Arthur Tomlinson of 19325 Turtle Drive in Litchfield Park expressed their concern that this is not the proper location for commercial

development and should not be annexed because of the horse property around the land. Planner Quinn Newton explained that the homes around the land would be buffered by a block wall and landscaping. Mr. Newton also explained that there were no legal reasons why this land should not be annexed into the Town of Buckeye. There being no other comment from the public the hearing was closed at 7:16 p.m.

**6C. Ordinance 58-05-Annexation-Southwest Corner of Broadway and Dean Road- DESROCHES A05-16**

Motion made by Councilwoman May and seconded by Councilman Beard to adopt Ordinance 58-05 increasing the corporate limits of the Town of Buckeye, Maricopa County, Arizona by annexing certain territory contiguous to the existing Town limits of the Town of Buckeye, Arizona located at the southwest corner of Broadway Road and Dean Road and read by title only. Motion passed unanimously.

**6D. Public Hearing - Annexation Request by George Musser on Behalf of Dean Leister and TK Development- LEISTER A05-19**

A Public Hearing was opened at 7:17 p.m. to hear citizen input on the proposed annexation request by George Musser on behalf of Dean Leister and PK Development for the annexation of approximately 77 acres located ¼ mile south of the intersection of Perryville Road and Lower Buckeye Road. Bob Carver representing PK Development made the following staff report corrections: 1). The applicant is not Dean Leister, it is PK Development, and 2). The aerial photo with the application does not include the proposed property. This annexation was legally published and posted. There being no further comments from the public the hearing was closed at 7:19 p.m.

**6E. Final Plat- Encantada Estates- RICHMOND AMERICAN HOMES FP04-200**

Councilwoman May confirmed the street widths were 32 feet wide and garage setbacks 20 foot. Planner Ian Dowdy assured Council that the Town Engineer, Woody Scoutten has reviewed this Final Plat carefully and that it contained the correct setbacks. Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to approve the request for the Final Plat for 302 single family residential lots on 78.35 acres, known as Encantada Estates, located on the northeast corner of Beloit Road and Rooks Road. Motion passed unanimously.

**6F. Ordinance 59-05- Development Agreement and the Community Master Plan for the Development known as Copper Falls**

Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to adopt Ordinance 59-05 approving both a Development Agreement and the Community Master Plan for the Development known as Copper Falls, a Master Plan Community by KB homes Phoenix, Inc. and Triyar Management of AZ on approximately 275 acres of land located on the northwest corner of Miller Road and Southern Avenue, authorizing and directing the Mayor to sign the Development Agreement on behalf of the Town, with a date correction to read "October 18, 2005", and read by title only. Motion passed unanimously.

**6G. Buckeye Municipal Airport Public Airport Disclosure Map- Town Staff to Record the Document Pursuant to A.R.S. 28-8486.**

Motion made by Councilman Beard and seconded by Vice Mayor Urwiller to approve the Buckeye Municipal Airport Public Airport Disclosure Map and authorize Town staff to record the document pursuant to A.R.S. 28-8486. Motion passed unanimously.

**6H. Development Reimbursable Grant Agreement between the Arizona Department of Transportation Aeronautics Division**

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to approve the Airport Development Reimbursable Grant Agreement between the Arizona Department of Transportation Aeronautics Division, Planning, in the amount of \$3,948 for the Master Plan Update and the Town and authorizing the Mayor or Town Manager to sign all necessary documents. (Total amount of the grant is \$157,895, with the ADOT and Town match \$3,948 each.) Motion passed unanimously.

**6I. Airport Development Reimbursable Grant Agreement between the Arizona Department of Transportation Aeronautics Division, Design/Construction**

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to approve the Airport Development Reimbursable Grant Agreement between the Arizona Department of Transportation Aeronautics Division, Design/Construction in the amount of \$9,776 for a six foot chain link security fence around the perimeter of the airport property and the Town and authorizing the Mayor or Town Manager to sign all necessary documents. (Total amount of the grant is \$391,000, with the ADOT and Town match \$9,776 each.) Motion passed unanimously.

**6J. Airport Development Reimbursable Grant Agreement between the Arizona Department of Transportation Aeronautics Division, Design/Construction**

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May Council to approve the Airport Development Reimbursable Grant Agreement between the Arizona Department of Transportation Aeronautics Division, Design/Construction (Grant Number E6S06) in the amount of \$247,500 (Town's matching portion \$27,500) and authorize Town Staff to pursue amending the scope of work to increase the total grant to \$316,254 and the Town and authorizing the Mayor or Town Manager to sign all necessary documents. Motion passed unanimously

**6K. Ordinance 60-05- Community Master Plan for the Development known as Monte Verde, a Master Plan Community by Shea Homes-MONTE VERDE CMP05-01**

Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to adopt Ordinance 60-05, approving both a Development Agreement and the Community Master Plan for the Development known as Monte Verde, a Master Plan Community by Shea Homes Limited partnership on approximately 860 acres of land located between Watson Road and ½ mile west of Miller Road and between the Roosevelt Irrigation District Canal and the Lower Buckeye Road alignment and authorizing and directing the Mayor to sign the Development Agreement on behalf of the Town with the stipulation that all maps of conform to Exhibit D and the date in "C" be changed to 10/12/2005, and read by title only. Motion passed unanimously.

**6L. Beloit Waste Water Treatment Plant 2A and 2B Expansions**

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to approve the Letter of Understanding relating to the Beloit Waste Water Treatment Plant 2A and 2B Expansions between the Town and approximately 30 developers pertaining to the funding of subsequent expansions of the Beloit Waste Water Treatment Plan. Motion passed unanimously.

**6M. Watson Road Community Facilities District Petition- Resolution 65-05 Waiver and Development Agreement.**

Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to approve a petition received relative to formation of the Watson Road Community Facilities District and, if deemed advisable, to adopt Resolution 65-05 forming such District and entering into a Waiver and Development Agreement. Motion passed unanimously.

**6N. Amendment No. 2 Camp Dresser & McKee, Inc. (CDM) Contract No. 1**

Public Works Director Joe Guidice reported that the developers are paying for the expansion and CDM representative Matt Cobrick were available to answer Council's questions regarding Amendment #2. Motion made by Vice Mayor Urwiller and seconded by Councilwoman May Council to approve Amendment No. 2 to Camp Dresser & McKee, Inc. (CDM) Contract No. 1 in an amount not to exceed \$1,254,391 for additional design and engineering services. Motion passed unanimously.

**6O. Watson Road Community Facilities District -CM at Risk Construction Services Agreement, GMP #3 from Garney Construction- Town of Buckeye Waste Water Treatment Plant Expansion- GMP #3 Supplements-Escrow Relating to Payment Terms and Source of Funding for Phase 1- CM at Risk Construction Services Agreement, GMP #3**

Town Attorney Scott Ruby told Council that this was a guaranteed maximum price and that the completion date was estimated for the end of 2006. Motion made by Vice Mayor Urwiller to approve the CM at Risk Construction Services Agreement, GMP #3 from Garney Construction related to the 3.0 MGD expansion of the Town of Buckeye Waste Water Treatment Plant; to approve the supplements to the GMP #3 and escrow relating to Payment Terms and the Source of Funding for Phase 1 of the GMP #3; and to approve assignment of the CM at Risk Construction Services Agreement, GMP #3, including the supplements to GMP #3 relating to payment terms and the source of funding for Phase 1 of GMP #3, to the Watson Road Community Facilities District (Town of Buckeye, Arizona) and to approve in substantially the from as presented. Motion passed unanimously.

**7. Town Manager's Report**

- New Management Assistant Sarah Blank was introduced to Council.
- New Public Information Officer Bob Bushfield was introduced to Council.
- Thanked Town Attorney Scott Ruby for his hard work and long time spent on Items 6N and 6O.

**8. Comments from the Mayor and Council**

**Councilman Meck**-Absent

**Councilman Beard**-None

**Vice Mayor Urwiller**-None

**Councilwoman May**-None

**Councilman Doster**-Absent

**Councilman Garza**-None

**Mayor Hull**-Announced that there is a CFD Meeting immediately following this Council Meeting.

**9. Adjournment.**

There being no further business to come before Council motion made by Vice Mayor Urwiller and seconded by Councilwoman May to adjourn the meeting at 7:37 p.m. Motion passed unanimously.

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**Dustin Hull, Mayor**

**ATTEST:**

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**Linda Garrison, Town Clerk**

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 18th day of October, 2005. I further certify that a quorum was present.

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**Linda Garrison, Town Clerk**